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**U.S. District Court
District of Colorado (Denver)
CIVIL DOCKET FOR CASE #: 1:11-cv-03062-PAB**

Gagan v. U.S.Department of Justice
Assigned to: Judge Philip A. Brimmer
Cause: 05:552 Freedom of Information Act

Date Filed: 11/23/2011
Date Terminated: 01/05/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Cary Gagan

represented by **Cary Gagan**
#58938
Sterling Correctional Facility (SCF)
P.O. Box 6000
Sterling, CO 80751
PRO SE

V.

Defendant

Eric Holder, Jr.
Attorney General
TERMINATED: 12/14/2011

Defendant

John Walsh, III
U.S. Attorney
TERMINATED: 12/14/2011

Defendant**U.S. Department of Justice**

represented by **Timothy Bart Jafek**
U.S. Attorney's Office-Denver
1225 17th Street East
#700
Denver, CO 80202
303-454-0100
Fax: 303-454-0407
Email: timothy.jafek@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/23/2011	<u>1</u>	Prisoner COMPLAINT against Eric Holder, Jr, U.S. Department of Justice, John Walsh, III, filed by Cary Gagan. (Attachments: # <u>1</u> Complaint for Injunctive Relief) (lyg,) (Entered: 11/25/2011)
11/23/2011	<u>2</u>	MOTION and Affidavit for Leave to Proceed Under 28 U.S.C. 1915, by Plaintiff Cary Gagan. (lyg,) (Entered: 11/25/2011)
11/23/2011	<u>3</u>	MOTION for the Recusal of All Active Judges of this Federal Court and for the Appointment of a Disinterested Judge from Outside the Tenth Circuit to Hear this Civil Action and Preside over any and all subsequent Litigation in this Court involving this Plaintiff, by Plaintiff Cary Gagan. (lyg,) (Entered: 11/25/2011)
11/23/2011	<u>4</u>	LETTER re: enclosures, by Plaintiff Cary Gagan. (lyg,) (Entered: 11/25/2011)
12/06/2011	<u>5</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in Forma Pauperis Without Payment of Initial Partial Filing Fee, by Magistrate Judge Boyd N. Boland on 12/6/11.(lyg,) (Entered: 12/06/2011)
12/07/2011	<u>6</u>	(SUPPLEMENT/AMENDMENT) Fax cover sheet from Judge John L. Wheeler with attached document from Arapahoe County, District Court. (lyg,) (Entered: 12/07/2011)
12/13/2011	<u>7</u>	Letter and Inmate Trust Fund Account STATEMENT re <u>5</u> Order on Motion for Leave to Proceed in Forma Pauperis, by Plaintiff Cary Gagan. (lsw,) Modified on 12/14/2011 to add text Letter (lsw,). (Entered: 12/13/2011)

12/14/2011	8	ORDER to Dismiss in Part and to Draw Case to A District Judge and to a Magistrate Judge. Plaintiffs motion for disqualification 3 is denied. Plaintiffs second claim for relief that is asserted pursuant to the Administrative Procedure Act is dismissed. Defendants Eric Holder, Jr., and John Walsh, III, are dismissed as parties to this action. This case shall be drawn to a district judge and to a magistrate judge. By Judge Lewis T. Babcock on 12/14/2011.(sah,) (Entered: 12/14/2011)
12/14/2011	9	CASE REASSIGNED pursuant to 8 Order on Motion for Recusal,. This case is reassigned to Judge Philip A. Brimmer. All future pleadings should be designated as 11-cv-03062-PAB-MEH. TEXT ONLY ENTRY. (sah,) (Entered: 12/14/2011)
12/19/2011	1 0	CERTIFICATE of Service by Clerk of Court re 1 Complaint for Service of Process. (Attachments: # 1 US Postal Service Certified Mail Receipts) (agarc,) (Entered: 12/19/2011)
12/22/2011	1 1	Acknowledgment (AFFIDAVIT/RETURN) of Service upon U.S. Attorney on 12/19/11 (mnfsl,) (Entered: 12/22/2011)
12/22/2011	1 2	NOTICE of Entry of Appearance by Timothy Bart Jafek on behalf of U.S. Department of Justice (Jafek, Timothy) (Entered: 12/22/2011)
12/23/2011	1 3	Plaintiff's Motion For This Court to Dismiss This Civil Action Without Prejudice Pursuant to Rule 41(a)(1), Fed. R. Civ. Proc. and The Reasons Set Forth Below & Doc(s), by Plaintiff Cary Gagan. (jjpsl,) (Entered: 12/23/2011)
01/05/2012	1 5	MINUTE ORDER re 13 Motion to Dismiss, by Judge Philip A. Brimmer on 1/6/2012. Defendant has not filed an answer or a motion for summary judgment, the Court construes plaintiff's motion as such a notice of dismissal. Upon its filing, this case was automatically dismissed without prejudice and without the need for a court order(jjpsl,) (Entered: 01/06/2012)
01/06/2012	1 4	RESPONSE to 13 MOTION to Dismiss filed by Defendant U.S. Department of Justice. (Jafek, Timothy) (Entered: 01/06/2012)

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